**Criminal Revision No.85 of 1993**

**IN THE HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT CHANDIGARH**

**...**

**Dharam Pal** **...** Petitioner

VERSUS

**State of Haryana** **...**Respondent

1. Whether the Reporters of Local Newspapers may be allowed to see the judgment ?

2. To be referred to the Reporters or not ?

3. Whether the judgment should be reported in the Digest ?

CORAM :

**HON'BLE MR. JUSTICE MOHINDER PAL.**

Present: Mr. H.S. Gill, Senior Advocate, with
Mr. Vivek Goyal, Advocate,
for the petitioner.

Mr.S.S. Goripuria, Deputy Advocate General, Haryana.

-.-

**MOHINDER PAL, J.**

This revision petition has been filed by Dharam Pal (petitioner) against the judgment dated February 04, 1993, passed by the learned Additional Sessions Judge, Panipat, vide

which his appeal against the judgment and sentence order dated July 10, 1990, passed by the Judicial Magistrate Ist Class, Panipat, convicting him for the offences punishable under Sections 419/ 420/ 467/ 471 of the Indian Penal Code (hereinafter referred to as `the Code) and sentencing him to undergo maximum rigorous imprisonment for three years and to pay maximum fine of Rs.1,000/- was dismissed.

2. Learned Counsel for the petitioner has not touched the merits of the case. He only submitted that lenient view be taken against the petitioner regarding the sentence. So, conviction of the petitioner for the offences punishable under Sections 419/ 420/ 467/ 471 is maintained.

3. So far as the sentence is concerned, the allegation against the petitioner is that he misappropriated a sum of Rs.4830/- by forging the signatures of his real uncle Dei Ram (complainant). As mentioned above, he was convicted and sentenced by the trial Court on July 10, 1990. His appeal was dismissed by the lower appellate Court on February 04, 1993. The petitioner was ordered to be taken into custody by the lower appellate Court when his appeal was dismissed. He continued to be in custody till March 18, 1993 when he was ordered to be released by this Court after the filing of this revision petition. In this way, the petitioner has already undergone sentence for a period of one and a half months. He is not a previous convict. He is suffering from the agony of this case since January 25, 1984, when complaint was made against him. The trial was also

protracted to the dismay of the petitioner. The sentence order, therefore, calls for interference. The ends of justice would meet if the period of incarceration already undergone by him is treated as the period of sentence for the offences committed by him. I order accordingly. However, the sentence of fine is enhanced from Rs.1,000/- to Rs.10,000/-. He will deposit this amount in the trial Court within a period of two months from the date of receipt of a certified copy of this order. Needless to say, if the petitioner fails to comply with the direction of depositing the amount of fine of Rs.10,000/- in the trial Court within the period stipulated above, this revision petition shall be deemed to have been dismissed. Learned counsel for the petitioner has stated at Bar that complainant Dei Ram, who was unmarried, has since died. So, if the amount of fine of Rs.10,000/- is deposited, it shall go to the State exchequer. The impugned sentence order stands modified to the extent indicated above.

This revision petition stands disposed of accordingly.

November 12, 2007. **( MOHINDER PAL )**
ak **JUDGE**